

## WITNESS IS CONFUSED

## Defense Scores Point in the Johnson Murder Case.

## WHISKERS CAUSE OF DOUBT

Alleged Eyewitness of Killing of Smith Testifies at Alexandria Trial That Fatal Shot Was Fired by Man with Beard, Whereas the Accused Was Clean Shaven.

WASHINGTON HERALD BUREAU, Alexandria, Va., March 29.—The witness, Frederick Brooks, of the United States Marine Corps, who was called to the stand by the Commonwealth just before adjournment to-day at the trial in the Corporation Court of William Johnson, colored, charged with the murder of Charles T. Smith, told the jury that he was not sure that he saw the man who fired the shot which killed Smith. Up to that time Officer Garvey had given the only positive evidence connecting the defendant directly with the crime. Garvey's reiterated statements that Smith stepped in between him and the negro and that the latter suddenly wheeled and shot Smith were corroborated in detail by the account sworn to by Brooks. But Attorney Brumback and Smith, through cross-examination of Brooks, brought out a point which is considered of importance to the defense.

Brooks swore that Johnson was wearing side whiskers on the night of the shooting. Other testimony was adduced by the defense to the effect that Johnson then had no beard, but that the description given by Brooks in this connection was applicable to the appearance of Frank Robinson, Johnson's companion. This, it is pointed out, fits in with the contention of the defense that Robinson, and not Johnson, committed the murder.

**Question of Whiskers.** William Bailey, colored, who asserted that he knew both Johnson and Robinson fairly well, was then recalled by the defense. It was he who testified that on the night of the shooting Johnson had no beard but that Robinson wore side whiskers.

Bailey was the last witness to be called to-day. The case will be argued to-morrow morning after prayers for instructions to the jury are heard. It had been expected that the trial would end to-day, but Commonwealth's Attorney Brown informed the court that he was not physically able to participate in further proceedings this evening. Shortly after 5 o'clock court adjourned. The Fredericksburg military company was again on guard at the courtroom throughout the session and escorted the prisoner back to the Alexandria County jail.

Johnson, in his own behalf, denied having fired the shot which killed Smith, but admitted having discharged his pistol toward the ground in a fracas on the fair grounds a short time before the murder. According to his story, he and Robinson got away from officers who had arrested them for participation in a row and in running through an alley the defendant was struck by a ball in the left leg. He said he carried a .38-caliber pistol, and Robinson had a weapon of the same caliber. While running, he said, he fired his weapon toward the ground in the hope of frightening his pursuers. It was pointed out by the defense that the ball taken from Smith's body was of the larger size mentioned.

**Jury Views Scene of Murder.** In order to explain the topography of the scene fully to the jury, the prisoner was taken to the fair grounds, under guard of the militia, and accompanied by the members of the jury, and there he traversed the territory alleged to have been traversed by him on the night of the tragedy.

After the testimony of several other witnesses, covering minor points, had been heard, the defense called Commonwealth's Attorney Brent to the stand in an effort to secure certain photographs alleged to be in Mr. Brent's possession and purporting to be pictures of the defendant. One photograph had been produced and another was furnished by Mr. Brent, who denied having used it to secure the identification of the prisoner. Officer Garvey, who was recalled, said he had been shown the pictures by Chief Goods and had found each to be a likeness of the defendant.

Walter Caton identified Johnson as the man who fired two shots downward as he ran from the fair grounds after breaking away from the officers just before the murder. Officer Ferguson told of hearing two or three shots and of seeing Johnson in flight. He said he was running very fast and did not limp. No one, the witness asserted, fired at the two fugitives, Johnson and Robinson.

At the afternoon session Attorney Smith attempted to introduce evidence reflecting upon the record of Frank Robinson for the purpose of strengthening the claim which the defense will argue to the jury, that Robinson, and not Johnson, is the man who shot Smith. Judge Barley, however, refused to admit it.

**Mail Box Destroyed.** Arthur Williams, colored, was arrested in Fairfax County this afternoon to answer the charge of destroying a government mail box about two miles from this city. The prisoner was held to await an examination before Commissioner Garrett next Monday morning.

Chief Goods, of the police force, has received a communication from the authorities at Phoenixville, Pa., requesting the officials of this city to secure at once a statement from William Johnson, the negro on trial here for murder, concerning the shooting more than a year ago of a baker in that place by a negro supposed to be Frank Robinson, Johnson's companion on the night of the murder of Smith in Alexandria. Johnson, it is said, has made a confession incriminating Robinson.

Funeral services over the remains of James L. Howson, a former policeman, were held this afternoon at the residence of George W. Bontz, 42 North Alfred street. Rev. William J. Morton officiated, and the interment took place at Union Cemetery. The pallbearers were Officers Beach, Gill, Henderson, Arrington, Young, and Talbott.

The funeral of William A. Underwood took place this afternoon from the residence of his daughter, Mrs. Roberts, near St. Asaph, in Alexandria County. The services were conducted by Rev. J. A. Jeffers, of Trinity Church. Interment was in Bethel Cemetery.

According to the decision of the Fairfax County supervisors, the will of Gen. George Washington will not be

Always the Same.  
Tharp's Pure  
Berkeley Rye

812 F St. N. W. Phone Main 1141.  
Special Private Delivery.

## DR. HAMILTON CALLED

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## HAS DRAMATIC STORY TO TELL

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When the commission adjourned on Thursday Chairman McClure told Jerome to have "all the witnesses" on hand to-morrow morning. Jerome asked the commission to name the witnesses it wanted called. As a result only one witness was named, Dr. Allan McLane Hamilton. Jerome sent word to Dr. Hamilton to-day to be on hand to-morrow morning.

**Dr. Hamilton to Testify.**

If the commission goes into all of Dr. Hamilton's knowledge of Thaw and his family history, he will make a very interesting witness. Dr. Hamilton says that Thaw is suffering from paranoia, and he bases this opinion on the examinations he made of Thaw in the Tombs. Dr. Hamilton's story of what went on at the examinations has never been told. Talking to a friend several days ago, Dr. Hamilton said:

"If I ever have to tell my story, it will be a dramatic one."

The lawyers for the defense are very much pleased at the attitude taken by the commission, that it has only to decide whether Thaw is now able to rationally advise with counsel. They declare that they have every confidence that the commission will not find Thaw insane. They have subpoenaed all of the attendants in the Tombs who have had anything to do with Thaw since he has been there.

**Two Notes Explained.**

There were more reports to-day as to what Thaw testified to. In reference to a note he wrote to Delmas concerning the Princeton Theological Seminary, Dr. Hamilton explained that he thought it was an opportunity to call Dr. Patton, referring to a note he wrote about his wife, he said that he was afraid that she would not be able to stand the strain under cross-examination, and he worried about her breaking down; but he did not mean that she should conceal any material facts.

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## CHURCH SERVICES TO-MORROW

## IN WASHINGTON AND ITS VICINITY.

## Notices for these columns should reach The Herald office by 9 p. m. Friday.

## EPISCOPAL.

ST. PAUL'S CHURCH, 234 E. st., near Washington Circle. Rev. Alfred C. Dyer, D. D., and Rev. W. H. Holmes, clergy. Easter day: Holy Communion at 8, 10, 11 a. m. Children's festival service, 4 p. m. Full choir, 7:30 p. m.

TRINITY CHURCH, 24 and C st. sw. Rev. Richard P. Williams, rector. Services Easter day: 7:30, 9:30, and 11 a. m.; 3:30 and 8 p. m. The vestry will preach morning and evening.

ST. MARK'S, M and A st. sw. Rev. Dr. W. L. Davies, rector. P. M. Prescott, Rev. John H. Davis, clergy. Easter day services: Holy Communion, 8 a. m.; 11 a. m.; 3:30 p. m.; 8 p. m. Children's festival service, 4 p. m. Festival evening service, 7:30 p. m.

CHRIST CHURCH PARISH, Georgetown, D. C. Rev. JAS. H. W. BLAKE, rector. 7 a. m., Holy Communion. 9:30 a. m., Sunday school. 11 a. m., full choir. Sermon by the rector. 5:30 p. m., Children's Easter Festival.

METHODIST EPISCOPAL.

FOUNDRY M. E. CHURCH, 16th and Church st. sw. Rev. Robt. M. Moore, pastor. Sunday school, 9:30 a. m. Preaching by pastor, 11 a. m. and 8 p. m. Epworth League, 7 p. m. Seats free. All welcome.

HAIRLINE M. E. CHURCH, 26th and P st. sw. Carl G. Doney, pastor. 9:30, special Easter service in the Sunday school, 11, sermon, "The Risen Christ," 4:30, Epworth League, 7:30, sermon, "Doing the Impossible." Every one is welcome. Seats free. All welcome.

METHODIST EPISCOPAL SOUTH.

MARVIN, 16th and B st. sw. Preaching 11 a. m. by Rev. E. E. Overholt. Special devotional and song service at 7:30 p. m. Mr. H. D. Gordon assisting.

PRESBYTERIAN.

EKINGTON PRESBYTERIAN CHURCH, N. Cap. and Q st. sw. Preaching by Pastor, Dr. W. W. Telford, 11 a. m., 7:30 p. m. Sunday school, 9:30 a. m. Christian Endeavor, 5:30 p. m. There will be special Easter music morning and evening. Seats free. All welcome.

FIRST, Donald C. MacLeod, minister. 11 a. m., Easter service and sermon; special music. 7:30 p. m., administration of the Lord's Supper, 8, 8:30 a. m., C. E., 4:30 p. m.

GURLEY MEMORIAL, Fla. ave., bet. 6th and 7th st. sw. J. Russell Verbeke, pastor, 11 o'clock, Easter service. 7:30 o'clock, subject, "Conquid Confidence."

CHURCH OF THE COVENANT, Conn. ave., N. and 18th st. Rev. T. H. Hamilton, D. D., pastor, will officiate to-morrow at 11 a. m. and at 4 p. m., both services appropriate to Easter.

NEW YORK AVENUE PRESBYTERIAN CHURCH, N. Y. ave. and H st. sw. Dr. Wallace C. Brown, pastor. 11 a. m., "Easter Message." 7:45 p. m., "From Sepulchre to Throne." An Easter Cantata by Thomas G. Shepard. Music by the quartet choir, 9:30 a. m. Bible school, 9:45 a. m., adult classes, 6:30 p. m. Christian Endeavor Society.

SOUTHERN PRESBYTERIAN.

CENTRAL PRESBYTERIAN (SOUTHERN ASSOCIATION), cor. M and 1st st. w. Rev. James H. Taylor, pastor, will preach at 11 a. m., "Easter Message." 7:30 p. m., "The Risen Christ and the Life After We Die." All are cordially welcome.

EVANGELICAL CHRISTIAN SCIENCE CHURCH—Socialist Bldg. 1207 G st. sw. Sermon, 11 a. m. and 7:30 p. m. Subject of morning lecture by

REV. OLIVER C. SHAIN. Subject of evening lecture by Mr. WINFIELD S. WHITMAN. "The New Easter." Testimonial meeting Wednesday evening at 8 o'clock. Seats free. All invited.

CHRISTIAN SCIENCE.

FIRST CHURCH OF CHRIST (Scientist), 18th and H st. sw. Services Sunday, 11 a. m. and 8 p. m. subject, "Unusual." Sunday school, 11 o'clock. "The Easter Story." Seats free. All invited. All seats free. Free reading room in the Teachers National Bank Building, 18th st. and F st. ave. sw.

THEOSOPHY.

LECTURE, "IS THEOSOPHY ANTI-CHRISTIAN?" at headquarters Washington Branch Theosophical Society, 222 A st. sw., Sunday, March 31, 1907, 8 p. m. Public invited.

NATIONAL NEW THOUGHT CENTER.

SUNDAY SERVICES AT RAUSCHER'S, 102 Conn. ave., at 4 p. m., address by Miss Emma C. Gray, "The Easter Story." Seats free. Daily noon meeting and Wednesday at 8 a. m. at Loan and Trust Bldg., cor. F and 8th sts. Public invited.

D. M. Low mass in St. Agnes' Church, Glen Echo, at 8 a. m. Rev. Walter Elliott, D. D., C. S. P., of the Apostolic Mission House, will give a mission in St. Agnes' Church, at 8 a. m. The fair for the benefit of the Church of Our Lady of Victory will be opened in the parish hall on April 1. Support will be given by the Ladies' Guild. The hall to be given in the new hall Easter Monday evening promises to be a success. The Dramatic Club will give an entertainment Tuesday evening, April 2.

ST. DOMINIC'S CHURCH, Rev. V. F. O'Daniel, O. P. S. T. B., of the Office of the Immaculate Conception, will preach the sermon at the solemn high mass to-morrow, 11 a. m. The choir will sing the mass with the Roman Missal at the altar. The responses will be sung by a chorus of fifty voices. Miss Barbara Hicford, organist.

ST. MATTHEW'S CHURCH: Solemn high mass will be celebrated at 11 a. m. to-morrow. The choir, under the direction of the organist, Ernest W. Winfield, will sing the mass. The choir will sing the mass with the Roman Missal at the altar. The responses will be sung by a chorus of fifty voices. Miss Barbara Hicford, organist.

ST. JOSEPH'S CHURCH: Solemn high mass will be celebrated to-morrow at 10:30 a. m. by the pastor, Rev. Valentine Schmitt. Rev. Ignatius Schmitt, assistant pastor, will officiate as subdeacon and preach the sermon on the Resurrection. Masses at 8, 9, 10, 11 a. m., and 8 p. m. and 7:30 p. m. on other week days. Preparations are being made for the German service to be given Tuesday evening, April 2. Miss Joseph Howard and Mrs. Ida Broder will be in charge of the tables.

ST. STEPHEN'S CHURCH: Solemn high mass will be sung at 11 a. m. to-morrow by one of the Fathers of the Franciscan Monastery. Rev. Father Peter, deacon, and one of the Paulist Fathers subdeacon. The sermon will be preached by Rev. Thomas G. Smyth. Meeting of the Sodality of the Blessed Virgin, Wednesday, 7:30 p. m. Masses week days 8, 9, 10, 11 a. m., and 8 p. m. Devotions of the League of the Sacred Heart next Friday evening, 7:30 o'clock.

ST. ANN'S ORPHAN ASYLUM: During this holy season, when alms are so generous, the Catholics of the District are earnestly asked to remember the two hundred helpless orphans of this orphan asylum in their prayers. Devotions of the League of the Sacred Heart next Friday evening, 7:30 o'clock.

ST. ANNE'S MONASTERY, BROOKLAND: The solemn Easter service will consist of low masses at 6 and 7 a. m. and solemn high mass at 9 o'clock. Solemn Vespers and Benediction of the Blessed Sacrament at 7:30 p. m. followed by a Third Order of St. Francis. The chanting in the choir will be by the Sisters and students of the Monastery. These services were very impressive and beautiful